DEPUTY PRESIDENT : That is a question which cannot be answered. Because, so far as the appointment of the Dewan goes, the appointment has to be made by His Highness the Maha Raja and not by the Government as in other cases. There is a difference between the Government of Travancore and His Highness the Maha Raja and the Dewans are appointed by His Highness. So, I do not want the official member to answer that question.

MR. C. S. KRISHNASVAMI AIYAR (*Ag. Financial Secretary to Government*) : In view of the fact that the resolution implies extra cost and impracticable changes, I am sorry, the Government may not be able to accept the spirit of it. I have nothing more to say.

MR P. K. NARAYANA PILLAI (*Ambalapuzzha I*) ; Sir, I quite appreciate the spirit in which the resolution that is under discussion has been moved by Mr. S. J. Nair and I equally appreciate the amendment to the resolution also. But as has been pointed out, there is considerable difficulty in accepting the resolution couched in the language found for it. In fact, it is positively a dangerous resolution from my stand point, because, only two limits have been fixed by Mr. Nair, the maximum being Rs. 1,000 and the minimum Rs. 15. With these two limits, without anything more, if his resolution is passed, you are empowering Government to do anything they may desire in the matter of appointments.

MR. K. R. ELENKATH (*Kalkulam I*) : As if Government has now no power to make any appointment.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : I do not say that there is no scope for Government to do anything they want at present. But that will be without the imprimatur of this House. When once this House accepts the position that the maximum shall be Rs. 1,000 and the minimum Rs. 15 any person who gets Rs. 200 to-day may be kicked up to Rs. 500 to-morrow by the Government and we shall be some what precluded from interfering with the discretion of Govern ment, in view of the language of this resolution.

ADJOURNMENT MOTION.

DEPUTY PRESIDENT : It is now 3-30 and the House will proceed to the discussion of the adjournment motion. The discussion of the resolution will continue later.

MR. R. SAMBASIVA AIYAR (*Kunnalnad II*) : Sir, the object of my motion is to discuss the situation created in the country by the recent Royal Proclamation which prohibits the sale of immovable properties and arrest of judgment debtors in execution of decrees. The object of the Proclamation was to afford temporary relief to the indebted agriculturists of the State, till Government finally settle their course of action after receipt of the report of the Agricultural Debt Redemption Committee.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : May I know, what does the member mean by the expression "arrears of judgment debtors" in the motion moved by him ?

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MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): In the motion I am discussing there is no such expression. Probably, in the member's copy, it may be a mistake for "arrest of judgment debtors", I am not responsible for the mistake. It may be the printer's error.

Sir, when the Proclamation was issued, it was thought that it would be a temporary relief afforded to the indebted agriculturists of the State and that the Government would finally take action after the report of the Debts Redemption Committee. Hence a moratorium for 3 months was declared, the effect of which has been quite different from that originally contemplated. Now a peculiar situation has arisen in the country as a result thereof, My object is to discuss that aspect of the matter. I propose to do so from three different stand-points. One is, from the stand-point of the indebted agriculturists themselves. Secondly, from the stand-point of the creditor from whom all legal sanctions for execution of the decrees have been withdrawn. Thirdly from the stand-point of the commercial classes in general.

First then from the stand-point of the indebted agriculturist, my submission is, he is hard-pressed for credit. Lending in general either on personal security or property security, has been discouraged. Only by the pledging of gold could anybody raise money for meeting his needs.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Was not this the state of affairs even before the passing of the Royal Proclamation?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Now the situation has become much worse due to the direct result of the Royal Proclamation. It could not possibly have been the intention when the Proclamation was issued. I am just explaining the position as it is, and the situation that has arisen as a result of the Proclamation. We cannot get money in the country unless we give gold as security. That is the position. The position was not like that before the Proclamation. Advances were regularly made by merchants in trading centres like Cochin and Alleppey to small traders who are also agriculturists for collecting hill produces like ginger, pepper and other products. Now these advances have been stopped by big merchants. The agriculturists cannot get money. I am sure this aspect of the matter could not have been forseen when the Proclamation was issued. Next from the stand-point of the creditor, the debtors have been induced to defer payment of debts in general. A wrong belief has been created in the minds of the debtors as a class that they could advantageously settle their debts later by future legislation. Non-agricultural creditors are also placed at a considerable disadvantage. They cannot realise what is due to them from the agricultural classes while they themselves are liable to arrest for amounts due by them. The financial capacity of the creditor class has been considerably affected. Their decrees cannot be executed. That is a position again which could not have been forseen when the Proclamation was issued.

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Lastly, I proceed to explain the position from the standpoint of the commercial community in general. The problem has taken a very dangerous turn. It has discouraged foreign merchants to sell goods to native merchants on credit. The money-lenders, the capitalists, the Joint stock Bankers—they are all afraid of lending money to the people of the State. Money is going outside the State. More than all this, there are fears and anxieties about the turn future legislation on the subject is going to take. The whole monetary system, the credit system, that has been working in the State has been affected. It is not exactly a question of the creditor or debtor being affected. It is a question of the credit machinery being affected. That is the position. This problem, I submit, has paralysed the credit machinery that has been going on and that, I submit, is the most fundamental objection. I believe, Sir, I have not exaggerated my case.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is it the member's suggestion that no remedy has been offered by the Proclamation or no remedy like that is not called for?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): I do not understand the member's question.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is it the opinion of the member that due to these circumstances there is no necessity or absolute necessity for any remedy either.?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Certainly not. I am going to say that.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Has the member got any concrete suggestion with regard to that?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): The Honourable Member will please wait and hear. I was submitting certain aspects which could not have been forseen at the time when the Proclamation was issued. I do not say that there is no need of help to the agriculturists. I do not say that there are no debtors among the agriculturists and that no remedy should be allowed to them. I am only saying that the present method is not the proper method. It is wrong to extend the moratorium after the time fixed, if the Government intend to do so. It is possible for Government to find out other means.

DEPUTY PRESIDENT: Was a moratorium declared by Government?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Yes, for three months. It is a specific moratorium for a certain period of time. That is all what I mean. Under such circumstances I submit to the Government that it will be most ill-advised if the term of the Proclamation is extended. The Proclamation itself says that it shall come into force from the 1st of Meenam and thereafter have effect for a period of three months only. There are anxieties felt among the people as to what Government intend doing after 3 months. We do not know what exactly the attitude of the Government will be after this period is over, because the Debts Redemption Committee has not yet submitted its report and its period has been extended. We fear that the period of the Proclamation also will be extended till they submit the report.

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MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know whether that is within the scope of this motion? The resolution is simply to discuss the situation created by the Royal Proclamation.

DEPUTY PRESIDENT: He is giving his arguments. It may be of some use in regard to the motion. He illustrates his views by quoting certain facts and bringing out certain apprehensions that he has got. I think he is quite in order.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): I submit that the Civil Procedure Code may be so amended that if a portion of the money is deposited by the debtors, sales may be disallowed. If proper security is given, arrest may be postponed. There are a large number of people who cannot get on without the interest from their money. They are persons who have no property. To say that such people should not be given even a portion of their money, I beg to submit, is wrong. Any arrangement that is made should be fair and equitable to both sides. This sort of defiance of private contract should not be encouraged. If it is done it will be a blot on the good name of the State.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): I take it, Sir, that the Government were trying an economic experiment when they promulgated this Proclamation. Government themselves were not aware of what exactly would be the result of that Proclamation. The condition of the country was such that the proposition was a logical one. Agricultural indebtedness had arrived at such a large figure as Rs. forty crores or so and some remedy had to be sought by Government. Therefore they might have thought that this may be the sort of agricultural relief that they could give the people. They promulgated a Proclamation of this nature. But as a matter of fact, at the time the proclamation was issued, the condition of the country was such that it was in a deplorable condition. So far as commerce was concerned it was in an extremely deplorable condition. As the members of this House are aware banks and banking systems were in their lowest ebb at the time when the Proclamation was issued and today banking is gone to the lowest stage. Absolutely no care is taken by the Government either of banking or commerce. Government forget that Government itself is a banker and perhaps the biggest banker in the State. We cannot say what exactly will be the result of the Proclamation because it was issued at a time when the courts were not in session. But the Proclamation produced one moral effect upon the debtors. They think that they are perfectly safe; that the period of moratorium will be extended when the original period expires, and that Government will take the trouble to clear all their debts. That is why the forms are filed up. They are under the impression that they need not be anxious about their debts. It is only a question of time. It will be cleared by the Government. That is the impression in the minds of People in rural places; merchants and even lawyers are also affected by the proclamation. The Munsiff's Courts are now opened and so far as I could see there is very little work

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going on because people are not prepared to risk their money in executing the decrees. The Proclamation was seemingly promulgated with the best of intentions. But as a matter of fact we are at the question whether it ought to be extended to a further period or we should scrap the whole thing.

Now it will be a good thing, no doubt, even though as a Commerce Member and as President of the South Travancore Chamber of Commerce I may not approve it taking all things together, to extend the period of the moratorium for a long period of 3 years and then amend the Limitation Regulation so that fresh suits are not taken during that period. That, of course, was the suggestion thrown on the floor of the House sometime back and if that had been accepted, the situation would have been much more easy. But as it is, there is nothing alleviating so far as business is concerned. Therefore it is up to all of us to see that something is done in the matter and therefore the situation has now arisen whether we are to go forward or backward; that is to say whether we are to extend the period of this moratorium or to take away this Proclamation altogether. I am not convinced, even though I am a member for commerce, that this Proclamation has got any appreciable effect either one way or the other so far as commerce is concerned. So far as I know, even before the Proclamation, banking stood hard hit and other methods will have to be found by Government to help banking which will have nothing to do with the Proclamation. Any how the agriculturists are under the impression that if the time is extended salvation is at hand. As a matter of fact that is not the case; nor are commercial people going to be improved by this Proclamation.

MR. KAYALAM PARAMEVARAN PILLAI (*Additional Head Sirkar Vakil*): So, may I know from the member whether the commercial community will not object if the Proclamation is extended?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): There are various views on the point. So far as I am personally concerned, as one who is in touch with commerce and in their interest also, I would say it is much better to extend the period of the moratorium for three years as I stated previously and change the Limitation Regulation also. As it is, what we have got to do is only to take suits but not to realise the fruits thereof. We can get decrees but we cannot realise anything out of those decrees. This is unfortunate. It is rather a huge economic problem which will have to be discussed at great length by Government in a conference. The ultimate responsibility should however be on the Government. So I support the motion.

MR. JOHN WHITELY TOLSON (*Travancore Planters*): Sir, I have to-day to protest very strongly against the Proclamation and I trust that an extension will not be granted by Government.

It is felt that the Proclamation has been made without due consideration to its effect on the trade of Travancore.

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[Mr. John Whitely Tolsen.]

The large Business Houses and Banks realise that the Proclamation has struck at the very foundation of the security of trade. Further all creditors interested inside and outside Travancore have had their faith shaken and feel that future development will be retarded.

I believe that the Land Mortgage Banks and the Co-operative Banks were established by the Government to help the agriculturist and I feel that these Banks have not been given the opportunity they should have been given.

Then there is the question of contracts entered into, where money has been advanced for produce; if the price of that produce increases, the contractor can sell elsewhere leaving the other party no redress.

The indebtedness of the agriculturist is to a great extent inherited and not a debt incurred in agriculture and therefore the present Proclamation will not remedy matters.

During the past few months one has heard much about Pallivasal Hydro-Electric Scheme attracting industry. I am afraid that with the Proclamation and the uncertainty caused thereby industry will not feel attracted.

The Planting Community sympathise, and sympathise deeply, with the ryot in all his troubles but we feel that the future must be an advance made by all parties with due consideration to all views for the general prosperity of Travancore.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Is the member of opinion that some scheme is necessary in the interest of the debtors?

MR. JOHN WHITELY TOLSON (*Travancore Planters*): I have sat down.

MR. G. NILAKANTAN (*Nominated*): Sir, I wish to speak a few words on the motion before the House. In recent times, no action of Government has been acclaimed with such satisfaction as the Proclamation which is under the consideration of this House. Against the extension of the period of the Proclamation it has been said that it has adversely affected not only the interest of the creditor classes but also the agriculturists who are in consequence unable to raise any loan for the purpose of cultivation. I am not aware of any such cry being raised by the latter. It is also alleged that trade has been dislocated owing to the suspension of the Civil Law Procedure regulating the credit system of the country. This objection also is not founded on fact. In the first place trade is carried on generally not with the loan raised on immovable property security, but with the advances given on the security of agricultural products. Secondly, even if any money has been advanced on property security, execution of decrees serves no useful purpose, as the value of the immovable properties has gone down considerably in value.

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The objection that the Proclamation is one-sided is of some force. The Proclamation protects only one class of debts, *viz.*, the agricultural debts and does not prevent the arrest of or the attachment of the property of a non-agriculturist like a Banker by an agriculturist creditor. Both classes of debtors should be protected. I think the Proclamation should be modified to this extent.

It is not an uncommon thing to grant moratorium to creditors and the Proclamation is not an extraordinary procedure. Further, it does not prevent filing of fresh suit towards the recovery of debts. Nor does it prevent the attachment or removal of properties.

Seventy per cent. of the population of this country consists of agriculturists; and yet Government have not formulated an agricultural policy as in Japan or Russia. From the questions published by the Debt Redemption Committee, it will be seen that the agricultural indebtedness is a problem of great magnitude the solution of which involves the study of subjects like the causes of indebtedness, the examination of the existing system of Banking, cancellation or otherwise of the Chitty Regulation, creation of agencies for the composition of debts and determination of interest, amendments to law and procedure relating to arrest of debtors and to attachment of property, consideration of passing of laws to enforce tariff and economy by preventing borrowing for unproductive purposes, establishment of Land Mortgage Banks, and compulsory co-operative agriculture.

DEPUTY PRESIDENT: They are all very remote questions.

MR. G. NILAKANTAN (*Nominated*): I want the Government to consider all these things. So, I think, Sir, it is necessary that the period of the moratorium should be extended.

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): സർ, ഇപ്പോഴത്തെ നിലവിലിരിക്കുന്ന പ്രാക്ടമേഷൻ ക്ഷാമം കൊണ്ടു വലയുന്നജനങ്ങൾക്കു ഒരാശ്വാസമാണെന്നു പ്രഥമദൃഷ്ടിയിൽ തോന്നിയേക്കാം. എന്നാൽ വാസ്തവത്തിൽ ഇതൊരാശ്വാസമാണെന്നു കരുതുവാൻ തരമില്ല. ഈ ക്ഷാമം മൂന്നോനാലോമാസം കൊണ്ടുമാറുമെന്നു വിചാരിക്കാനും വഴികാണുന്നില്ല. പ്രാക്ടമേഷൻ ദീർഘകാലത്തേക്കു മൂന്നുമാസത്തേയ്ക്കുകൂടിയോ അല്ലെങ്കിൽ ഒരുകൊല്ലത്തേയ്ക്കുകൂടിയോ നീട്ടിയേക്കുമായിരിക്കാം. എന്നാൽ തന്നെയും അതുകടക്കാർക്കു ഒരനുഗ്രഹമായിരിക്കുന്നതല്ല. ഫ 0 0 0 രൂപാ കടമുള്ള ഒരുവനു ഇപ്പോഴത്തെ സ്ഥിതിക്കു അവനു നിർബന്ധമുള്ളപക്ഷം പത്തോ ഇരുപതോരൂപാവീതം പലഗഡുക്കളിലായി കൊടുത്തുകൊണ്ടുവന്നാൽ കടം വാങ്ങിക്കാതെ നീക്കുന്നതിനു സാധിക്കും. നേരെമറിച്ചു ഈ പ്രാക്ടമേഷനനുസരിച്ചു തൽക്കാലം കൊടുക്കാതെ കഴിച്ചുകൂട്ടാമെന്നു ഒരു കടക്കാരൻ കരുതുന്നപക്ഷം അവൻ പ്രാക്ടമേഷന്റെ അവധിതീർന്ന ഉടൻ ഒന്നാ

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[Mr. M. K. Janardana Kamath.]

യി മുതലും പലിശയും എല്ലാംകൂടി തിരിച്ചുകൊടുക്കുന്നതിനു നിർബന്ധി തനായിതീരുകയും ഓരോദിവസം പോകുംതോറും കൂടിക്കൂടിവരുന്ന ഈ ക്ഷാമംമൂലം അവൻ വലഞ്ഞു കഷ്ടപ്പെടേണ്ടതായി വരുകയും ചെയ്യും. തിരുവിതാംകൂറിലെ ഉല്പന്നങ്ങൾ തിരുവിതാംകൂറിൽതന്നെ ക്രയവിക്രയംചെയ്യ ഒരാളിന്റെ തൊഴിൽനടത്തിക്കൊണ്ടു പോകാൻ സാധിക്കുകയില്ല. കച്ചവടക്കാരുടെയും ബാങ്കുകാരുടെയും സഹായംകൊണ്ടുവേണം കൃഷിക്കാർക്കു അഭിവൃദ്ധിയുണ്ടാകാൻ. ഈ പ്രാക്ളമേഷൻ നിമിത്തം കൊച്ചിയിലും ബ്രിട്ടീഷിലുമുള്ള കച്ചവടക്കാർ തിരുവിതാംകൂറിലുള്ളവർക്കു കടം കൊടുക്കുന്നതിനു ഭയപ്പെടുന്നു. സാധാരണ മൊത്തക്കച്ചവടക്കാർ തവണക്കു ചരക്കെടുത്തു ചില്ലറകച്ചവടക്കാർക്കു കൊടുത്തുവരികയാണു് പതിവു. ഈ പ്രാക്ളമേഷൻനിമിത്തം തവണയ്ക്കു ചരക്കുകിട്ടുകയില്ല.

MR. A. EASWARA PILLAI (*Kottarakara*): ഇവിടത്തെക്കച്ചവടം ഇപ്പോൾ നടക്കുന്നില്ലേ?

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): ഇവിടത്തെ കച്ചവടം ഏതുവിധത്തിലാണു് നടക്കുന്നതെന്നു ഇപ്പോൾ പറഞ്ഞുധരിപ്പിക്കാൻ വിഷമമാണു്.

MR. M. N. NAIR (*Kottayam I*): ഈ മൂന്നുമാസംകൊണ്ടു് ഇവിടത്തെ കച്ചവടംനശിച്ചോ?

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): ഈ മൂന്നുമാസംകൊണ്ടു കൂടുതൽ ബുദ്ധിമുട്ടു അനുഭവിക്കുന്നുണ്ടു്.

MR. M. N. NAIR (*Kottayam I*): പ്രാക്ളമേഷൻ കൃഷിക്കാരെയല്ലാതെ കച്ചവടക്കാരെ ബാധിക്കുമോ?

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): കൃഷിക്കാരുടെ നല്ല കച്ചവടക്കാരുടെ അഭിവൃദ്ധിയെ ആശ്രയിച്ചാണിരിക്കുന്നതു്.

MR. R. RAMAN PILLAI (*Changanachery cum Peermade II*): കോടപ്പുകാലത്തു ഈ പ്രാക്ളമേഷൻ വന്നതുകൊണ്ടാണോ കച്ചവടത്തിനു അധഃപ്പതനം വന്നതു്?

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): കച്ചവടത്തിന്റെ അധഃപ്പതനവും, വർദ്ധനവും കോടപ്പിനെ ആശ്രയിച്ചല്ല ഇരിക്കുന്നതു്.

അതിനാൽ ഈ പ്രാക്ളമേഷന്റെ കാലാവധിനീട്ടിക്കൊണ്ടു പോകുന്നതു് ഒരിക്കലും ഔചിത്യമല്ല.

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MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : സർ, കൃഷിക്കാരായ കടക്കാരുടെ സങ്കടങ്ങളെ പരിഹരിക്കുന്നതിനു സ്ഥിരമായ ഒരു വ്യവസ്ഥയുണ്ടാകുന്നതുവരെ താല്ക്കാലികമായി കർഷകവൃന്ദത്തിനു കുറച്ചാസം നൽകുന്നതിനാണല്ലൊ ഈ വിളംബരം പ്രസിദ്ധീകരിച്ചതു്. ഈ വിളംബരത്തിൽ പ്രഖ്യാപിതമായിട്ടുള്ള സംഗതികളേ സംബന്ധിച്ചു ഗവണ്മെൻറാകട്ടെ വിളംബരപ്രാബല്യത്തിനു കാലതാമസ്യം വരുത്തരുതെന്നു വാദിക്കുന്നതിനെ സംബന്ധിച്ചു പൊതുജനങ്ങളാകട്ടെ ഒരു 'Continuity of policy' ആസ്പദമാക്കിയിട്ടില്ലഎന്നു വ്യസനസമേതം പറയേണ്ടിയിരിക്കുന്നു. ഗവണ്മെൻറു ഈ വിളംബരപ്രഖ്യാപനത്തിൽ ഒരു സ്ഥിരമായ നയം തുടരുന്നില്ലെന്നു കാണിക്കാനുള്ള കാരണം ആദ്യമായി പറഞ്ഞുകൊള്ളട്ടെ. ജനങ്ങളുടെ കടത്തിനു പരിഹാരമുണ്ടാക്കാൻ ഗവണ്മെൻറു സഹായിക്കാൻ നിശ്ചയിച്ചിരിക്കുന്നു എന്നു് ഈ വിളംബരംമൂലം പൊതുജനങ്ങളെ ധരിപ്പിക്കയും അതേഅവസരത്തിൽതന്നെ പൊതുജനങ്ങളിൽനിന്നും ഗവണ്മെൻറിലേക്കു ഈടാക്കാനുള്ള കൃഷിവായ്പ, വ്യവസായവായ്പ, ഭൂസ്വത്തുജാമ്യബാക്കിലേക്കു പെല്ലുവാനുള്ളതുകയുടെ തവണകൾ മുറയ്ക്കു്, ജനങ്ങളുടെ വിഷമതകൾ അവഗണിച്ചു് ഈടാക്കിവരികയും ചെയ്യുന്നുണ്ടു്. ഈ വക കടങ്ങളെ സംബന്ധിച്ചിടത്തോളം ഗവണ്മെൻറിനു ഉത്തമർണ്ണസ്ഥാനവും വായ്പകൾ എടുത്തിട്ടുള്ള കർഷകർക്കു അധമർണ്ണസ്ഥാനവും ഉണ്ടായിരിക്കെ, പ്രാക്ക്യുമേഷനിൽ നിർദ്ദേശിച്ചിട്ടുള്ള ആനുകൂല്യങ്ങളും സഹായങ്ങളും ഗവണ്മെൻറിന്റെ കടക്കാരായ കൃഷീവലന്മാർക്കു് പ്രോക്ലമേഷൻ മുഖേന നൽകിയിട്ടില്ല. യഥാർത്ഥത്തിൽ ജനങ്ങളുടെ സങ്കടാവസ്ഥ ഗവണ്മെൻറു വിചാരിച്ചിരുന്നെങ്കിൽ ഈവകസംഗതികളിലും വേണ്ടസഹായങ്ങൾ ചെയ്യേണ്ടതായിരുന്നു. അതു ചെയ്യാതെ യഥാവസരം ഗവണ്മെൻറിനു ചെയ്യേണ്ടസാഹ്യപ്രായശ്ചിത്തംകൂടി ചേർത്തു ഈടാക്കിവരികയാണു് ചെയ്യുന്നതു്. ഈ വ്യത്യസ്തനയം ഗവണ്മെൻറു സ്വീകരിച്ചിട്ടുള്ളതു് അക്ഷേപാർഹമാണു്.

MR. N E. VARUGHESE (*Tiruvalla I*) : കൃഷിവായ്പയ്ക്കു് ഗവണ്മെൻറു ധാരാളം അവധി നീട്ടിക്കൊടുക്കാറുണ്ടെന്നു മെമ്പർക്കറിയാമോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : ഗവണ്മെൻറിനു ഒരു 'Continuity of policy' യില്ലഎന്നു കാണിക്കുകയാണു് ഇപ്പോൾ ഞാൻ ചെയ്യുന്നതു്.

ജനങ്ങളുടെ സങ്കടങ്ങൾ ഗവണ്മെൻറിനു ധരിപ്പിക്കാനാണല്ലോ ജനപ്രതിനിധിസഭകൾ ഏർപ്പെടുത്തിയിട്ടുള്ളതു്. ജനപ്രതിനിധികൾ നികുതിഭാരം കൂട്ടുവാണു് അതുകുറയ്ക്കുണം, നികുതി ഇടാക്കുന്നതി

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[MR. T. P. Velayudhan Pillai]

ളുള്ള നിർബന്ധ നടപടികൾനിറുത്തിവയ്ക്കണം, എന്നാംമറും പ്രതിദിനം ഗവണ്മെൻറിനെ ഉൽബോധിപ്പിച്ചുകൊണ്ടിരിക്കുന്നു.

MR. R. RAMAN PILLAI (*Changanachery cum Peermade II*): കടിശ്ശിക ഈടാക്കുന്നവിഷയത്തിൽ കാലാവധിനീട്ടിക്കൊടുക്കയും പല പ്രാവശ്യവും കർശ്ശനനടപടികൾ ഗവണ്മെൻറു നിറുത്തിവയ്ക്കുകയും ചെയ്തിട്ടില്ലെ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): അതുപോലെതന്നെ പണംകിട്ടാനുള്ള പലയാളുകളും കാലാവധിനീട്ടി കൊടുക്കാറുണ്ട്.

MR. R. RAMAN PILLAI (*Changanachery cum Peermade II*): അതെൻറെചോദ്യത്തിനുത്തരമായില്ല.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഞാൻ ആ ചോദ്യത്തിനുത്തരം പറയുന്നില്ല.

MR. R. RAMAN PILLAI (*Changanachery cum Peermade II*): പറയുന്നില്ലെങ്കിൽ വേണ്ട.

DEPUTY PRESIDENT: No, that observation does not serve any purpose. Now please go on.

MR. T.P. VELAYUDHAAN PILLAI (*Tiruvalla III*): ഈ പ്രാക്ലമേഷൻ ആവശ്യമില്ലെന്നു പറയുവാൻ തരമില്ല. എന്നാൽ അതിൽ കുറെ ന്യൂനതകളുണ്ട്. അതിനാൽ ഈ പ്രാക്ലമേഷൻറെ കാലാവധി നീട്ടണമെന്നു വിചാരിക്കുന്ന പക്ഷം ആ ന്യൂനത പരിഹരിച്ചിട്ടുവേണം നാട്ടാൻ. ജനങ്ങൾ ഈ വിളംബരത്തെ വളരെ സൌഹാർദ്ദത്തോടുകൂടിയാണ് സ്വാഗതം ചെയ്തിട്ടുള്ളത്. എന്നുമാത്രമല്ല, ഇതുപോലെ സൌഹാർദ്ദത്തോടുകൂടി സ്വാഗതം ചെയ്തിട്ടുള്ള വിളംബരം മറെറാന്നുംതന്നെയില്ല. അപൂർവ്വം ചില സ്ഥാപനമേധാവികൾ ഇതിനു വിപരീതമായ സ്വരങ്ങൾ പുറപ്പെടുവിക്കയും ചെയ്തിട്ടുണ്ട്. എന്നാൽ അതു വളരെ ഉച്ചമായ സംഖ്യമാത്രമാണ്. സുദൃഢോദ്ദേശത്തോടുകൂടി ഗവണ്മെൻറിൽനിന്നോ അല്ലെങ്കിൽ മറു വ്യക്തികളിൽ നിന്നോ എന്തെങ്കിലും ഒരുപ്രവർത്തിയുണ്ടാകുമ്പോൾ അതിനു ഭിന്നകക്ഷികളിൽ ഒരു ഭാഗത്തുനിന്നും താൽക്കാലികമായ പ്രതിബന്ധവും പ്രതിഷേധവും ഉണ്ടാവുകയെന്നുള്ളതു സാധാരണമാണ്. ഗവണ്മെൻറു നോക്കേണ്ടതു ഭൂരിപക്ഷത്തിനു ഇതുകൊണ്ടു എത്രത്തോളം ആനുകൂല്യമുണ്ടെന്നാണ്. ഈ വിഷയത്തിൽ ന്യൂനപക്ഷക്കാരായ കുബേരന്മാരുടെ മനോഭാവത്തെ ആശ്രയിച്ചുള്ള പ്രവർത്തിക്കേണ്ടതു്.

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ഇനി എനിക്കുപറയുവാനുള്ളതു വിളംബരത്തിൽ പ്രഖ്യാപിത മായിട്ടുള്ളതു പോലെ സ്ഥിരമായ ഒരു വ്യവസ്ഥയുണ്ടാകുന്നതുവരെ താൽക്കാലികമായ ഒരു ആശ്വാസമുണ്ടായിരിക്കേണ്ടതു അത്യാവശ്യമായിട്ടുള്ളതാണെന്നാണു്. അപ്രകാരം ചെയ്യാതെ, അതായതു അവസാനമായ ഒരു വ്യവസ്ഥ ഗവണ്മെൻറിൽ നിന്നും ഉണ്ടാക്കുന്നതിനു മുമ്പായി, വിളംബരപ്രാബല്യം അവസാനിച്ചു പോകുന്നപക്ഷം ഈ വിളംബരം തന്നെയും അർത്ഥശൂന്യമായ ഒരു ഫാർസായി പരിണമിക്കുന്നതാണു്. ഇപ്പോൾ വിളംബരപ്രാബല്യം നീട്ടാതെ അവസാനിച്ചു പോകുന്നപക്ഷംഉത്തമർണ്ണന്മാർ കടക്കാരെ മുമ്പിലത്തേക്കാൾ എളുപ്പമായി ഇരട്ടി, നാനാവിധത്തിൽ, ചുരുങ്ങിയകാലംകൊണ്ടു വിഷമിപ്പിക്കുമെന്നുള്ളതിനു സംശയമില്ല. ഒന്നുകിൽ സ്ഥിരമായ വ്യവസ്ഥ ഉടനടിചെയ്തു പരിഹാരമാർഗ്ഗം ഉണ്ടാക്കുകയോ അല്ലാത്തപക്ഷം വിളംബരത്തിൻെറ കാലാവധിനീട്ടുകയൊ ചെയ്യാതെഗത്യന്തരമില്ലാതെ യാണിരിക്കുന്നതു്. ഋണനിവാരണക്കമ്മിറ്റിയോടു ദിനംപ്രതിയോഗങ്ങൾകൂടി അവരുടെ റിപ്പോർട്ടു കഴിയുന്നതും വേഗത്തിൽ സമർപ്പിക്കാൻ നിഷ്കർഷയായി ഏർപ്പാടുചെയ്യണം ബ്രിട്ടീഷ് ഇൻഡ്യയിലുള്ള ചില പ്രാവിൻസുകളിലും പല നാട്ടുരാജ്യങ്ങളിലും ജനങ്ങളുടെ ഋണനിവാരണത്തിനായി സ്ഥിരമായ വ്യവസ്ഥ ഉണ്ടായികഴിഞ്ഞിട്ടുണ്ടു്. മൈസൂരിൽ ഫസ്റ്റ് വ്യ-ൽ തന്നെ കടക്കാരെ വാറണ്ടിൽ പിടിക്കാൻ പാടില്ലെന്ന നിയമമുണ്ടാക്കി. ബ്രിട്ടീഷ് ഗവണ്മെൻറിൽ നിന്നും കടക്കാരെ വാറണ്ടിൽ പിടിക്കാൻ പാടില്ലാ എന്ന ഒരു ബിൽ ഉണ്ടാക്കി അഭിപ്രായ പ്രകടനത്തിനായി പ്രാവിൻഷ്യൽ ഗവണ്മെൻറുകൾക്കു സർക്കുലേറ്റു ചെയ്തിരിക്കുന്നു. ഫാ ഠ രുപായ്ക്കു താഴെ ശമ്പളമുള്ള ഉദ്യോഗസ്ഥന്മാരുടെശമ്പളം വിധിക്കടത്തിനായി ജപ്തിചെയ്യരുതെന്നും ഒരു നിയമമുണ്ടാക്കാൻ ബാംബെഗവണ്മെൻറു ആലോചിച്ചുവരുന്നതായി അറിയുന്നു. ഈ സ്ഥിതിക്കു ഇവിടെയുണ്ടായിട്ടുള്ള പ്രാക്ളമേഷനെ എൻെറ അഭിപ്രായത്തിൽ സ്വാഗതം ചെയ്യുകതന്നെവേണം.

DEPUTY PRESIDENT: Does any official member propose to speak?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Sir, I am grateful for the opportunity this adjournment motion has given me for placing the views of Government before this House on this question. Before I proceed with the point at issue I should like to speak a few words about the origin of the Proclamation. We are all aware that during the last few years the economic condition of the agriculturists in Travancore as elsewhere in British India and other

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[Mr. K. George.]

parts of the world has been going from bad to worse. We all thought that their position would be improved and that they would be able to rehabilitate in course of time. As a matter of fact these anticipations were not realised but on the contrary the economic position of the agriculturists has been declining steadily. He is on the throes of debt. As the prices of produce fell, his condition became more and more pitiable. His liabilities grew enormously. He has been used to a certain standard of expenditure in his household, in the matter of the education of his children, social expenses and expenditure on various other items. With the phenomenal fall in the price of produce from land, the agriculturist found that his income also fell very sharply, by about 50 per cent. He found it impossible to adjust himself to the new conditions all on a sudden. In the meantime, he has been incurring liabilities on account of chitties and other similar transactions. On the whole, the position of the agriculturist steadily worsened.

There was, a general feeling in the country that something should be done to restore the economic prosperity of the agriculturist. Government, no doubt, did give effect to some amelicratory measures. They have been granting remissions of taxes reducing school fees and soon Government knew full well that such amelioratory measures touched merely the fringe of the problem. They did not go far enough to help the agriculturists to restore him to prosperity.

It was at this stage that a deputation of certain responsible gentlemen waited upon the Dewan and presented a representation to him on this question. They indicated certain directions in which Government should act. Subsequently the Dewan held a conference at Bhaktivilas consisting of certain officers of Government and the non-official gentlemen who made the representation. Shortly after the conference, as the House is aware, Government appointed the Agricultural Debt Redemption Enquiry Committee.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): May I know whether banking and commercial interests were not adequately represented on that Committee?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): That, of course, has no connection with the point I am now dealing with. Still, I would say that it is not a fact that commercial and banking interests are not represented on the Committee. One of the members of the Committee is a banker himself.

DEPUTY PRESIDENT: The personnel of the Committee is not now before the House.

MR. T. P. VELAYUDHAN PIALLI (*Tiruvalla III*): May I know the name of that member who is a banker?

DEPUTY PRESIDENT: I have already ruled that the personnel of the Committee is not a matter now before the House.

MR. K. C. KARUNAKARAN (*Nominated*): Was that member a banker or a money-lender?

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DEPUTY PRESIDENT : I expect members to listen to the Chair. Three times I have stated that the personnel of the Committee is not a matter now before the House. I am surprised the same matter is being repeated.

Mr. George may proceed.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : I was submitting, Sir, that the result of the deputation and the subsequent conference was the Government order appointing the Committee.

Soon after the appointment of the Committee, the question was brought to the notice of Government as to whether some temporary relief should not be given to the debtors. The Preamble to the Proclamation itself makes a reference to that. Government referred the question to the Committee and the Committee was asked to make a speedy report. The Committee did submit a speedy report ; and the Proclamation is based more or less on that report.

As has been clearly stated in the Preamble to the Proclamation, it is intended to afford temporary relief to the agricultural debtors. The House is perfectly aware of the need for such relief. As a matter of fact, as we all know, the High Court had sent round circulars directing the lower courts to bear in mind the present economic condition and to be lenient in granting time to decree-debtors whose properties come up for court sale. Now, Sir, what the Government have done in issuing the Proclamation is not very much more than what the High Court had done (*Hear, hear*).

There is also another reason which weighed with the Government in issuing this Proclamation. The fact that the Government had appointed a Committee to go into the question of agricultural indebtedness created the impression.....

MR S. J. NAIR (*Nedumangad*) : What is the work that the Committee is doing now ?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : I will have to stray off my point, Sir, if I answer that question.

DEPUTY PRESIDENT : That question does not arise. You may proceed, Mr. George.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : I was submitting, Sir, that the appointment of the Committee created a wrong impression in the minds of the people that the Government was about to do something to harass the creditors, and there was reasonable apprehension that the creditors might rush to the courts and hasten the execution of decrees and thereby make the debtors' condition even worse than it was before. That, certainly, the Government wanted to avert. That was why they issued the Proclamation just to see that the existing condition of the agriculturist is not worsened.

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[Mr. K. George.]

After all what does the Proclamation say? It is obviously only a partial moratorium. There is no question of a wholesale moratorium of all debts. It prohibits the sale of immovable properties in satisfaction of decree debts. It also prohibits the arrest of agricultural debtors. But, it does not affect decrees passed six years before the Proclamation. It does not also prohibit the *attachment* of immovable properties. It is only the *sale* of immovable properties that is prohibited, and that only in respect of decrees passed during the last six years. The Proclamation also specifically says that it is not intended to interfere with voluntary settlements between the parties. There is nothing in the Proclamation to prevent the creditor and the debtor coming to an understanding and settling the debts between themselves.

I am perfectly aware, Sir, that the Proclamation has caused some misunderstanding on the part of certain people that the Government are going to step in and pay off their debts. They seem to be under the impression that if only they submit statements of their debts to the Committee, the Government would step in and pay off all their debts. There is no doubt that some such wrong impression is current among the rural population. Such an impression will, of course, be dissipated shortly and it is the duty of responsible public men to dissipate any such misunderstanding on the part of the poor people, because, obviously there is no proposal either to repudiate the debts or for the Government to undertake the repayment.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): How does the member anticipate that the Committee is not going to make those recommendations?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): As a reasonable person, I think, Sir, that, in a non-Bolshevik country like Travancore, we will not repudiate debts.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): Did the Government consult the High Court, before the Proclamation was issued, as to the practicability of working the Proclamation?

MR. K. GEORGE (*Land Revenue and Income Tax Commisisoner*): I regret, Sir, that I am not now in a position to answer that question.

MR. A. EASWARA PILLAI (*Kottarakara*): What is the attitude of the Government in the matter?

MR. K. GEORGE (*Land Revenue and Income Tax Commissionerer*): I request the member to wait and see what I am going to say about that.

As was referred to by some member.....

DEPUTY PRESIDENT: Mr. George, I suppose you mean "a member" when you say "some member"?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I do not recollect who it was.

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Soon after the Proclamation was issued, Government received a host of resolutions passed at public meetings, congratulating the Government on the step they had taken.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Were such resolutions passed by the debtor class or by the creditor class?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): They were passed at public meetings. I suppose they must include both classes.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Did the Government care to ascertain that fact?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I do not think we can say that any public meeting is entirely composed of debtors or of creditors.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Can we not presume, in this instance, that the majority will be debtors?

DEPUTY PRESIDENT: That point need not be pressed any further.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Is it not possible for the member to say whether the Government have received deputations from the creditor class protesting against the continuance of the Proclamation? Does the member propose to refer to those aspects also?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Yes, certainly. I have so far dealt with one side of the question.

On the other side, there is the creditor class. There was a public meeting of bankers and other creditors, in the Victoria Jubilee Town Hall, followed by a deputation to the Dewan.

There was also an emergent meeting of the Travancore Chamber of Commerce at Alleppey. Both these meetings protested against the promulgation of the Proclamation. I am not going to dwell at length on the arguments brought forward by the creditors against the Proclamation. The sum and substance of their arguments is that the credit machinery of this country has been disorganised, that not only the agriculturists but the non-agriculturist classes also have been affected, that it is impossible for the agriculturists as well as the non-agriculturists to find credit and that the merchants who were dealing with the agriculturists cannot get their contracts fulfilled. There is thus a sharp division of opinion between the debtor and creditor classes on this topic. I consider that those parties are rather exaggerating the position. Take, for instance, the position of the creditors who say that everything is disorganised. What was the real position when the Proclamation was issued? Were these creditors realising their debts? Was not the situation as bad then as it is now? Except for the impression that has been created in the minds of the agriculturist debtors, how has the Proclamation affected the condition that existed before? Recently, I have been travelling from here up to Peermade. I took the opportunity to discuss this question with various well-informed people. I find that opinion on this question is very sharply divided. The

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debtor classes are of opinion that what has been done has been a great salvation and Government would be ill-advised to withdraw it as it will allow the creditors to rush into courts. The other opinion is that already the credit machinery has been disorganised, that the agriculturists and the non-agriculturists both suffer, and that it would be impossible to carry on transactions because of the loss of credit. There are two opinions on the point. Of course, one cannot say which exactly is right and which is wrong. Probably the truth lies between the two extremes.

I believe a great deal of the misapprehension in the public mind is due to the fear that some enforced settlement will be brought about as a result of the deliberations of the Committee in such a way as to deprive the creditors of what is rightly due to them. That is probably at the bottom of the trouble. We cannot foresee what the Committee is going to suggest. Nevertheless, people may have the assurance that nothing like a repudiation of debts is contemplated on.

As regards the attitude of Government in this matter, I may say that the Government have not come to a settlement on the question as yet. The Proclamation would expire only at the end of this month, Edavam. As I said at the outset, Government are glad of this opportunity to know the opinion of this House on the question. Government would take into consideration the attitude this House shown in this matter.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Before the member sits down, may I ask him whether Government contemplate making any permanent arrangements to settle the claims between agricultural debtors and creditors and whether they contemplate giving this temporary kind of relief till the Committee reports?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): The very fact that the Committee is sitting shows that Government are anxious to afford some relief. This Proclamation gives only temporary relief. The question of making permanent arrangements has not been considered till now.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know whether Government would be giving this temporary relief till permanent arrangements are made?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): It is not manifest from the Proclamation.

DEPUTY PRESIDENT: The question about the intention of Government when the Proclamation was made does not arise.

MR. K. PADMANABHAN (*Chirayinkil I*): Sir, what has prompted Mr. Sambasiva Aiyar to table this adjournment motion is the apprehension that the present Royal Proclamation will be extended. The question which this House has therefore to consider is whether an extension of this Proclamation would be conducive to public interest.

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Of course, Honourable Members of this House are aware that there is a good deal of clamour on this question both in the press and on the platform. Though the Proclamation affords some temporary relief to purely agricultural debtors, the point to be considered by this House is whether it is for the country's benefit. Though it gives some temporary relief to debtors, the real difficulty lies this way. A person who is involved in debts and a person against whom a decree has been obtained in a court may have further occasions to borrow. The question whether he will be able to borrow when this Proclamation is on the Statute Book is the question to be considered by this House. The Royal Proclamation has resulted in a sort of paralysis in all monetary transactions. If money-lending is stopped, it goes without saying that agriculture will be hit to a great extent. Another point I have to submit before this House is that the Proclamation as it stands is defective intrinsically also. The question whether the Proclamation is applicable to a particular person has to be decided by the court which executes the decree. A person is brought under arrest before a court of law. He will naturally be inclined to put in a petition claiming exoneration. Whether he should be exonerated or not is a matter left to the discretion of the court. Under the Proclamation, the original court of execution has to attend to it. Most of the execution petitions go to the Munsiffs. If the Munsiff says a petitioner is an agriculturist, then the matter ends there. But if the Munsiff says that he is not an agriculturist then the petitioner can go to the appellate court. I am aware of a ludicrous instance in which a lawyer practising in a mofussil court, when arrested and brought before the Munsiff in execution of a decree put in a petition claiming exoneration on the ground that he is an agriculturist. He is a vakil commanding an extensive practice in that court. Curiously enough the Munsiff ordered that he is an agriculturist. There are so many similar instances. The Proclamation is abused by courts in many instances. All these factors should be given due consideration before this House decides upon an extension of this Proclamation. I most emphatically support this motion.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*) : Sir, every body in this House, I have no doubt, will agree with me that the agriculturists who are indebted and are unable to discharge their debts must be given adequate relief. I think that is the object of this Proclamation. I have been confirmed in this view by the speech of the Revenue Member who said that the relief of the agricultural indebtedness was made the object of this Proclamation. If that is so, there are various objections why this Proclamation should not be renewed in its present form. In the first place this agricultural indebtedness is not a condition which was brought into existence by the present economic depression at all. Agricultural indebtedness did exist even before the economic depression came into existence and it was the result of agriculture having become unprofitable owing to various reasons. But this Proclamation curiously enough, exempts, in

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paragraph 1 of Section 2, all decrees which were passed not less than six years before the date of Proclamation. Thus it denies relief to agriculturists who became indebted before the economic depression came into existence. That is to be deplored. Secondly, if the object of this Proclamation is to give some temporary relief only to the indebted agriculturist, it goes far beyond its object. The Preamble to the Proclamation says as follows:

> "Whereas representations have been made to Our Government that, owing to the slump in commodity prices, judgment debtors are not able immediately to pay moneys due under decrees of courts and that it is necessary that some temporary relief should be given to them-"

Therefore, gathering from the Pre-amble, it may be gathered that the object of the Proclamation is far wider than the original one, namely, grant of relief to the indebted agricultural population. In its present form the Proclamation comprises within its ambit all debtors whether agriculturists or otherwise which I conceive was not the original intention of the Legislature.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I ask, does the member accept the definition of the agriculturist as given in the Proclamation?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnathur* cum *Pattanapuram*): No, I do not. The Proclamation says that no step shall be taken or allowed to be taken in any of the civil courts in Travancore for the recovery of money due under any decree of any of the following classes... ...

It goes further and says that no steps shall be taken in respect of any decree for money charged on immovable property. Why should execution be stayed in respect of all decrees charged on immovable properties? Whether they are the property of agriculturists or not—immovable property is not owned by agriculturists alone. It is owned by traders, by Government servants, by lawyers and several other classes of people besides agriculturists. The charges therefore might have been created by any of these classes. If the object of the Royal Proclamation is to give relief to the real agriculturists, I ask, why should decrees charged on immovable properties, the charge on which is created by persons other than agriculturists, be stayed by it. Therefore the Proclamation in its present form cannot be justified and should be extended.

Coming now to the definition of the word 'agriculturist' to which my friend Mr. Kayalam Paramesvaran Pillai has drawn my attention, the definition given in the Proclamation is as vague as possible.

"Agriculturist" means any person whose main occupation or main source of livelihood is agriculture.

I can understand a man whose main occupation is agriculture being included within the meaning of the expression 'agriculturist'; but I doubt the wisdom of treating every person whose main source of livelihood is agriculture as an agriculturist. Suppose a man owns a vast extent of

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lands which he lets to other people for rent and lives by that. Can such a man be treated as an agriculturist? In my opinion, not, and yet under the definition he is an agriculturist.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know from the member whether an officer or merchant or one who holds land will be driven to the necessity of selling his land in execution of the decree?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*) : If the debtor is able to pay his debts he will not.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : By occupation of agriculture, does the member mean one who takes to actual work on the field and lives on it or one who gives his property for rent and thereby live on it?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*) : To me, an agriculturist means a person who actually cultivates his own land or other peoples' land for rent.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : So, according to the member, none else should be classed in that category for purposes of affording relief?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*) : No.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Am I to take it that a person who cultivates his land by hard labour alone could be classed an agriculturist?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*) : No; a man who employs other labour in cultivation while he himself supervises the work is also an agricultirist.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : What about an agriculturist who gives out his lands on hire?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*) : He cannot be an agriculturist for purposes of relief.

DEPUTY PRESIDENT : So, according to the member, an absentee landlord cannot come under the definition of 'agriculturist' in the Proclamation?

MR. CHANGANACHERY K. PARAMESVARAH PILLAI (*Kunnattur* cum *Pattanapuram*) : Quite so. He may own many acres of lands and be getting a large income. Because he lives out of the income of his lands, such a person cannot be called an agriculturist for purposes of affording relief. An agriculturist should be one who cultivates his land by his own labour or hired labour which he personally supervises and makes a living out of it.

MR. T. P. VELAYUDHAN PILLAI (*Trivalla III*) : Can a rubber planter be included in the class of agriculturists?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*) : That depends upon circumstances.

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MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Is it the member's view that the Proclamation should not give relief to agriculturists who are able to pay their debts?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): Yes.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Has the member any objection to the relief being given to persons who are really unable to pay their debts?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): No. But I should however qualify the answer thus. A person may own large properties the income from which may not be necessary for his livelihood and the debts may be charged on them. If by the sale of the excess properties, he is able to discharge his debts, he should not be protected by the Proclamation. I cannot say that such a man is unable to pay his debts. The property of such men should not be exempted from being taken in execution of decrees.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is the member against the stay order irrespective of the decree amount?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): In the case of agriculturists who are unable to pay their debts the decrees against them may be stayed whether charged on immovable property or merely personal. My point is, in the case of an agriculturist, a distinction should be made between one who is able to pay and one is unable to pay his debts.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): With reference to that, take the case of an agriculturist who, when his lands are sold, may be able to pay debts. Still he is an agriculturist. What does the member say to that?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): That is rather a difficult point. If he is ruined by the sale of lands, he may have nothing to live upon. In such a case, I would extend the benefit of the Proclamation to him. If without detriment to one's livelihood, if his debts could be discharged by executing the decree he should be excluded from the definition of 'agriculturists' for purposes of the Proclamation. Relief should be given only to deserving persons who are unable to pay debts.

In these days of general economic depression, much difficulty is felt by agriculturists to raise money and pay their debts. It is reasonable that some time should be granted to them for discharging their debts. They must make every effort to discharge their debts and not try to take advantage of the Proclamation for staying decrees. Therefore I suggest that provision may be made for debts being paid back in easy instalments. For instance if 10 per cent. of the debt is paid into court six months' time may be allowed for payment of another instalment which may be another 10 or 15 per cent. according to the discretion of

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the court. The same kind of relief in general may be given to all debtors irrespective of the fact whether they are agriculturists or non-agriculturists, because, it has become difficult to raise money now owing to the depression. Again, because of the economic depression, the value of money has risen to more than 40 per cent. Therefore I would go to the extent of suggesting that the debts in general may be reduced by 30 or 40 per cent. and the remaining portion of the debt may be allowed to be paid in easy instalments as mentioned by me already. Extension of time should depend upon the *bona fides* of the debtor in his attempts to discharge his debts. These are some of the suggestions I would make on this important but difficult question. To extent this Regulation in its present form, I think, is objectionable, because it would stultify the economic condition of the country. The debtor's debt is the capital of the creditor. Without capital no business could go on. This capital must be circulating and should not be allowed to become stagnant. It is something like the blood circulatory system. Money must be circulating and nothing should be done to arrest its circulation. If blood circulation is arrested, the man will die. Similarly, if the circulation of the monetary system is stopped, the economic life of the people will end. Therefore nothing should be done by the State to arrest the circulation of money and thus bring the economic life to stop. So, I suggest, in a Proclamation like this which is intended to afford protection to indebted agriculturists, great discrimination should be made so that the already over-strained economic machinery may not break by further strain.

MR. C. V. CHANDRASEKHARAN (*Officiating Director of Public Instruction*): Is it the view of the member that the amount of the principal and the amount of the interest due on the debt may be reduced as a permanent remedy in some ratio corresponding to the fall in the price of agricultural commodities?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): Quite so.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): The motion is directed against the qualified moratorium granted by the Royal Proclamation under discussion. Whether it is wise or unwise is the question for consideration. To start with, I admit, Sir, the question is rather a difficult one. But, to argue upon general principles, we have to take into consideration the object with which a moratorium is granted. Without an object, to grant a moratorium is not an approvable step at all. In the present instance, what I gathered from the Revenue Commissioner is, that a recommendation was made by the new Committee formed to go into the question of agricultural indebtedness that some temporary relief was necessary for the agriculturists. That I fear, is hardly a sufficient basis for an enactment of this description. A few years ago we had the spectacle of Amercia granting to some of the European powers a moratorium for one year. The object behind that, as was pointed out by some critics at that time, was to enable Americans to sell their articles to the debtor countries and in the interests

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[Mr. P. K. Narayana Pillai.]

of the American industrialists it was necessary to maintain the purchasing power of the debtor countries. If a similar object in the present instance had existed, one could have understood it. For example, if this moratorium had enabled the agriculturists to set themselves on their own feet by carrying on agriculture for some time without being molested by their creditors in courts, then that would have served a purpose, Or, say, if there was the prospect of the prices of articles going up which would have enabled the agriculturists to meet their indebtedness, then also there would have been ample justification for a moratorium.

But apart from the bald statement "temporary relief" this Royal Proclamation has no basis to support it. There was no consideration of the consequences. My friend Mr. Parameswaran Pillai by referring to certain sections of the Proclamation said that even the non-agriculturists can take advantage of it. I fear that is true, though, I am not prepared to agree with him that a person who happens to lease his propertise would cease to be an agriculturist. Yet there are persons purely of the non-agricultural class who are benefited by this measure. I disagree with him in regard to lessors. The general practice in the country cannot be left out of account.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) :Would the Honourable Member accept the definition of agriculturists given in the Proclamation?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): To a very great extent I would. Suppose I am an agriculturist carrying on agriculture. One year a man approaches me and asks that he may be allowed to cultivate the land for me and that he would pay the rent. Would I cease to be an agriculturist? To me it appears that I shall not. Now in the case of *Pathiaram* cultivation, land is given by one and seeds, labour, and agricultural implements are supplid by another. In such cases does the ower cases to be an agriculturist? It would be a serious hardship if all the owners of lands are compelled to cultivate their lands themselves. It would prevent landless people from making a living by cultivation. That unforfunately is not the practice obtaining in the country.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Would it be advantageous to compel the owners of the lands to cultivate the lands for themselves?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : No. It may not be possible. The cost may go up. If I were to undertake the cultivation of my lands for myself the cost would be much higher.

DEPUTY PRESIDENT : Are we not straying far away from the point?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : I am only pointing out certain peculiar aspects why this definition may be accepted. I thought it was a serious question for consideration. By granting this postponement, does the agriculturist or the creditor reap any benefit?

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If they do not, and if on the other hand the creditor is going to be prejudiced and the agriculturist is likely to be unfairly favoured, then, I beg to submit that this Royal Proclamation is not a proper enactment at all. If the Government foresees any advantage then I can appreciate the wisdom underlying it. But not otherwise. If the agriculturists are left unmolested by the Royal Proclamation for these two or three months and after that period they are in a position to pay off their debts, then it would be an advantage. After three months is our position going to be bettered? If not, it will lead to mischief. In the case of Punja cultivation in Kuttanad, cultivators have carried the crops from the fields everywhere. They are free of the fear of suits, arrests and attachments. They have put the profits if any, into their pockets and are enjoying life. Such a mischief is likely to arise. Therefore in considering the wisdom of this measure what ought to be kept in view is the probable disadvantage. Such a disadvantage is likely in view of the short period for which it is enacted. I am very glad to hear that Government are not going to follow the policy of the Russian Government and repudiate the debts. In other parts of the world, in Newzealand, South Africa, Australia and other places, what the Governments did was to establish Ad *hoc* Boards, to see whether there was any possibility of the parties themselves clearing the debts. Where there was no possibility they used to give time and after that if there was still no hope they used to make adjustments on a conciliation basis. Such Boards may do much good in this county also. I myself suggested a scheme of that sort by applying for leave to introduce a Bill in this Assembly. But it was turned down by the then President of the Assembly. I am pointing out the necessity of establishing Conciliation Boards to see to the possibility of making adjustments wherever possible. Such adjustments may prove to be useful to both the parties. Government are not prepared to relax their demand. Now people lend money to agriculturists in the hope that they would get it back when they have the necessity of paying the Government. The demand upon the lender is not in the least relaxed and the man who has to pay back the loan is protected. So the man who lent the money and the agriculturist who borrowed it are differently treated. That is the situation. Will the Government be prepared to put themselves on the same footing as other creditors as regards agriculturists?

MR. S. J. NAIR (*Nedumangad*): Sir, I oppose the motion. The Proclamation recently issued is a very great blessing to the agriculturists in the State, who form the bulk of the population and mainstay of the country. That money market is in danger, banks are in danger, credit is in danger and that money lenders may go out of the State in exodus are all false, alarming cries that are set up by self-interested, selfish, shylock-like persons who do not care a pin for the peasantry of the country.

DEPUTY PRESIDENT: Your allegations do not refer to the members of the House?

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MR. S. J. NAIR (*Nedumangad*): No, Sir. The bankers only attempt to enrich themselves at the cost of the poor people. They have not rendered any substantial help, for the matter of that any little help, for the progress or development of agriculture or for the amelioration of the pitiable condition of the agriculturists of the State. They generally lend out money only in cases where the agriculturists are prepared to pledge gold ornaments. They may perhaps advance money to Government servants because they are sure that they could realise the money out of their salary from the treasuray. The banks are started and shares are collected from the people by a set of clever people who style themselves as bankers. They do not invest a pie. Invariably, at the outset they do not own a pie. It is all by indirectly cheating and plundering the poor agriculturists that the banks are first started and some clever people become Agents and Directors of the banks. They do not render any account to the shareholders; they do not divide any profit. At last they divide the emoluments between themselves and they enrich themselves at the cost of the poor peasantry in the State.

DEPUTY PRESIDENT: Is there any resolution on banking?

MR. S. J NAIR (*Nedumangad*): It was told by the Revenue Member that the bankers waited upon the Dewan and prayed that the period of the Proclamation should not be extended. I am pointing out that it was a false contention that was raised by the bankers. They do not care for the peasants of the country. We know the actual depressing condition of the peasants. I submit that the period of the Proclamation should be extended and its scope widened a little more, so much so that all land holders, not merely agriculturists alone, ought to be exempted from arrest and detention in civil jail for decree debts.

MR. M. N. NAIR (*Kottayam II*): മിസ്റ്റർ സാംബശിവയ്യരുടെ അഭിപ്രായത്തിൽ പരമാർത്ഥത്തിന് എതിരായിട്ട് വളരെ സംഗതികൾഉണ്ടെന്നു ആദ്യമായി പറയാതെ നിവർത്തിയില്ല. അദ്ദേഹം പറയുന്നതു് ഇന്നത്തെ പ്രാക്ലമേഷൻ കൃഷിക്കാർക്ക് തന്നെ വളരെ ദോഷമാണെന്നാണ്. വിളംബരം പ്രസിദ്ധപ്പെടുത്തിയതിനുശേഷം, തിരുവിതാംകൂറിലെ കൃഷിക്കാർ നാട്ടിന്റെ നാനാഭാഗങ്ങളിലും പല യോഗങ്ങൾകൂടി ഗവണ്മെൻറിനോടു് അവർക്കുള്ള സന്തോഷത്തെ അറിയിക്കുകയും, നന്ദിപ്രകടിപ്പിക്കുകയും, ഇതിനെ സംബന്ധിച്ച് എന്തെങ്കിലും സ്ഥിരമായ ഒരു നിയമം ഉണ്ടാക്കുന്നതുവരെ ഈ പ്രാക്ലമേഷൻ നീട്ടികൊടുക്കണമെന്നു ഗവണ്മെൻറിനെ അറിയിക്കുകയും ചെയ്തിട്ടുണ്ടു്. ഇതിനുവിപരീതമായയാതൊരറിവും ഈ നാട്ടിൽ ധാരാളമായി സഞ്ചരിക്കുന്ന ആൾക്കും ഉണ്ടായിട്ടുള്ളതായി അറിയുന്നില്ല. ആസ്ഥിതിക്കു് ഈ പ്രാക്ലമേഷൻ കൃഷിക്കാർക്ക് തന്നെ ആപത്താണെന്നു് പറയുന്നതു് എന്തു് കാരണത്താലാണെന്നു് മനസ്സിലാകുന്നില്ല. ഈ സാമ്പത്തികാധഃപതനകാലത്തു് കടക്കാ

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രായ കൃഷിക്കാർ മുതലാളിമാരുടെ വലയിൽപ്പെട്ട് കഷ്ടപ്പെട്ട അവരുടെ വസ്തുക്കളെല്ലാം തുച്ഛമായ വിലക്ക് വിറ്റ് വിഷമിച്ചിരിക്കുന്ന അവസരത്തിലാണ് ഇങ്ങിനെ ഒരു വലുതായ ആശ്വാസം പ്രാക്ലമേഷൻ കൊണ്ടു ഉണ്ടായിട്ടുള്ളതു്. അങ്ങിനെ വന്നു ചേർന്ന ആശ്വാസത്തിന്റെ ഫലമായി തിരുവിതാംകൂറിന്റെ ഒരറ്റം മുതൽ മറ്റേ അറ്റം വരെയുള്ള ഭൂരിപക്ഷം ആളുകളും മഹാരാജാവ് തിരുമനസ്സിലെ ദീർഘായുസ്സിനു് വേണ്ടി പ്രാർത്ഥിക്കുന്നു എന്നുള്ളതു് ഇന്നും നടക്കുന്ന ഒരു പരമാർത്ഥമാണ്. ഇരുപത്തഞ്ചോ മുപ്പതോ കൊടി രൂപാ തിരുവിതാംകൂറിലെ കൃഷിക്കാർക്കു് കടമുണ്ടെന്നുള്ളതിന് പല കണക്കുകളുംഉണ്ടു്. ഇത്രയും രൂപാ കൃഷിക്കാർക്കുകടമുള്ള ഒരു രാജ്യം കടക്കാരുടെ രാജ്യമാണെന്നു് പറയുന്നതു കൊണ്ടു വിരോധമുണ്ടാകുമെന്നു് തൊന്നുന്നില്ല. ഈ ഇരുപത്തിഅഞ്ചുകോടി കടമുള്ള കൃഷിക്കാരെ പ്രതിനിധീകരിക്കുന്ന പ്രതിനിധികളിൽ കടക്കാരുടെ കാര്യങ്ങൾ ശരിമായി പറയുന്നവർ വളരെ കുറവാണു്. അതിനെപ്പറ്റി അത്ഭുതപ്പെടാതെ നിവർത്തിയില്ല. ഗവണ്മെൻറിൽ നിന്നും വാങ്ങിച്ചിട്ടുള്ള കൃഷിവായ്പ്, വ്യവസായ വായ്പ മുതലായ കടങ്ങൾപോലും തിരിയെകൊടുക്കാൻ നിവർത്തിയില്ലാതെ ജനങ്ങൾ വിഷമിക്കുന്ന ഈ അവസരത്തിൽ തൽപരിഹാരാർത്ഥം ഒരു നിയമം ഉണ്ടാക്കിയാൽ അതിനെ സകലരും സന്തോഷത്തോടുകൂടി സ്വീകരിക്കുക തന്നെ ചെയ്യും. കൃഷിവായ്പ, വ്യവസായ വായ്പ എന്നീ ഇനങ്ങളിൽ കൊടുത്തിട്ടുള്ള കടങ്ങൾ പിരിക്കുന്നതിനായി വസ്തുക്കളെ ലേലം ചെയ്യുമ്പോൾ ലേലത്തിൽ പിടിക്കാൻ ആളില്ലാതെ ആയിരം രൂപായുടെവസ്തു ഒരു ചക്രത്തിനു ഗവണ്മെൻറിന്റെ പേരിൽ ലേലംസ്ഥിരപ്പെടുത്തിവരുന്നു. ൨൫൦൦ രൂപായിൽ കുറയാതെ വിലയുള്ള വസ്തുവിനെ ജാമ്യംകൊടുത്താണ് ൧൦൦൦ രൂപാ കടംവാങ്ങിക്കാറുള്ളതു്. ഇന്നു ആ ൧൦൦൦ രൂപായുടെ കടത്തിനുവേണ്ടി ആ വസ്തുവിട്ടു കൊടുക്കാൻ കടക്കാരെല്ലാവരും തയ്യാറാണു്. എന്നാൽ മുതലാളിമാർ അതിനു വഴിപ്പെടുന്നില്ല. പണം വേണമെന്നു് കടക്കാരെ നിർബന്ധിക്കുന്നു. കടക്കാരന്റെമുഴുവൻ വസ്തുക്കളും വിറ്റാലും ഇന്നത്തെ ആയിരം രൂപാകിട്ടാൻ തരമില്ലാതെയാണിരിക്കുന്നതു്. വസ്തുക്കൾ അന്യായമായി വിറ്റുപോകാതിരിക്കണമെന്നു് മാത്രമേ കൃഷിക്കാർ ആഗ്രഹിക്കുന്നുള്ളൂ. ആയിരം രൂപായുടെ കടത്തിനു് ഒരുവന്റെ സകലവസ്തുക്കളും ലേലത്തിൽവിറ്റിച്ചു് എടുക്കണമെന്നു് കടം കൊടുത്തവൻ ആഗ്രഹിക്കുകയും അതിനുള്ള അവസരം നോക്കിക്കൊണ്ടിരിക്കുകയും ചെയ്യുന്നു. കാലഹരണം നീങ്ങികി

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[Mr. M. N. Nair.]

ളണമെന്നുള്ള പ്രാർത്ഥനയുള്ള കൃഷിക്കാർ വിപരീതമല്ല. ഭൂസ്വത്തു് തൽക്കാലം വിട്ടുകൊടുക്കുന്നില്ലെങ്കിൽ അതു് ആരും കൊണ്ടുപോകുന്നതല്ല. അതു് അവിടെത്തന്നെ കിടക്കും അതു് കുറഞ്ഞവിലക്കു് വാങ്ങുവാൻ ആരുതന്നെ പറയുന്നുള്ളു. ആയിരം രൂപായുടെ വസ്തുവിനെ നൂറു രൂപായുടെ കടത്തിനു് വേണ്ടിവിട്ടുകൊടുക്കുന്നതു പ്രാക്ടീസ്മെഷൻകൊണ്ടു് ഉദ്ദേശിക്കുന്നുള്ളു. കടക്കാരനെ വാരണ്ടിൽ പിടിച്ചു് ജയിലിൽ വച്ചിട്ടു് പണം വാങ്ങാമെന്നു് ചിലർ വിചാരിക്കുന്നു. പണം കൊടുക്കാൻ നിവർത്തിയില്ലാത്തതുകൊണ്ടുമാത്രമാണു് കൊടുക്കാതിരിക്കുന്നതു അല്ലാതെ കൃഷിക്കാർക്കു അഭിമാനം ഇല്ലാത്തതുകൊണ്ടല്ല ഇങ്ങനെ പണം കൊടുക്കാൻ നിവർത്തിയില്ലാതിരിക്കുന്ന ഒരാളെ പിടിച്ചു് ജയിലിൽ വച്ചു് അയാളുടെ സന്താനങ്ങളെ കഷ്ടപ്പെടുത്തുന്നതു് കഠിനമായ ഒരു മഹാപാതകമാണു്.

DEPUTY PRESDENT മെംബറിന്റെ സമയം കഴിഞ്ഞു.

Now Mr. Sambasiva Aiyar may reply if he has a reply.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, many of us want to speak. If the discussion does not terminate at 5-30 P. M. the time automatically ceases. There is no rule that the motion should be put to vote.

DEPUTY PRESIDENT: You need not appeal to the rule now. You are at liberty to say what you want to say. There is no necessity to appeal to any rule.

Mr. Sambasiva Aiyar may speak.

MR. R. SAMBASIVA AIYAR (*Kunnatunad II*): Sir, I waive my right to reply.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, many more of us want to speak on the motion.....

DEPUTY PRESIDENT: After Mr. M. N. Nair sat and until I called upon Mr. Sambasiva Aiyar to reply, I did not find any member getting up. I have been carefully looking round and everybody who made an attempt to speak was called on. Considering that there were only 7 minutes more, I thought it was reasonable to call upon Mr. Sambasiva Aiyar to reply and because I did not find anybody standing up I asked Mr. Sambavasiva Aiyar to reply.

MR. PACJDE A. NARAYANA PILLAI (*Vilavankod*): Sir, we did not see the speaker.....

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Order, Order. The President has ruled.

DEPUTY PRESIDENT: Mr. Sambasiva Aiyar may reply.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Sir, I have only just one or two points to speak on.....

MR. S. J. NAIR (*Nedumangad*): Sir, a point of order. The member has informed that he waived his right to reply. Having said so, can he now reply?

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DEPUTY PRESIDENT : Did he say so? I did not hear.'

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : I said so.

DEPUTY PRESIDET : Then you have no right. I ask Mr. George to speak.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : The mover having waived his right to speak, I have very little to add to what I have already said. The speech of Mr. M. N. Nair gave a most vehement justification of the action of Government. The justification for the promulgation of the Proclamation was this : that the lands belonging to the debtors were being sold at a very low price and that it was necessary to stop that practice. So, as I said in my first speach, the High Court itself granted certain concessions in the matter. What the Government did was to give statutory recognition to that. On that question I do not want to lengthen my speech.

On the question of the extension of the Proclamation, Government have not yet made up their mind. They would certainly consider the speeches made today in this House and take due note of the various opinions expressed before they come to a decision on that point.

It would be well. I think, Sir, if the House now divides on this question so that the Government may know what the attitude of the House on this matter is.

DEPUTY PRESIDENT You want the House to divide ?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : Yes.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : I fear, Sir, there is no possibility for dividing on this motion.

DEPUTY PRESIDENT : It has been done before.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : But where is the possibllity?

DEPUTY PRESIDENT The House will now divide on a question of principle, the principle being the question of extension of the Proclamation.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) Sir, my objection is this. There is no possibility upon the motion of a division like that, for, the motion merely says that the mover wants to discuss the motion upon the Royal Proclamation in regard to the arrest of judgment-debtors. He does not formulate any question for the decision of the House. He wants only to discuss the question. As for the extension of the Proclamation, the motion is silent. Therefore to ask the House to divide on a subject which has never been discussed relevantly except by individual members' observations....

DEPUTY PRESIDENT : That, I say, is incorrect. Almost every member spoke of extension or non-extension of the Proclamation.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : I quite agree that some of the members spoke of the possibility of extending the Royal Proclamation for a further period. But looking at the motion as it is before the House, it does not comprise any notion of the extension of the Royal Proclamation.

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The only question that can be and will be put is that the House will now adjourn.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Could it not be taken that the motion in effect means that the Government were ill-advised in passing the Proclamation.....

DEPUTY PRESIDENT. Each member may have his own view about the language. But the motion is capable of a substantive meaning and that is the spirit in which the discussion proceeded. The issues have been clarified so that there will be no difficulty about voting and that will be in conformity with the practice of this House. I therefore put this adjournment motion *i. e.*, motion to adjourn the House, to the vote of the House. Those who are in favour of Mr. Sambasiva Aiyar's motion will please raise their hands.

The motion was put to vote and lost.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) I demand a poll. A poll was taken and the House divided as follows —

AYES 9.

1	Mr.	N. Abdur Rahiman Sahib	6	Mr.	P. C. Narayanan Bhattatiripad
2	,,	S. Chattanatha Karayalar	7	,,	P. K. Narayana Pillai
3	,,	M. K. Janardana Kamath	8	,,	R. Sambasiva Aiyar
4	,,	T. S. Jayantan Namboctiri	9	,,	John Whitely Tolson
5	,,	K. C. Karunakaran			

NOES 37.

1	Mr	K. C. Abraham.	19	Mr.	M. K. Madhavan Pillai
2	,,	T. K. Alexander	20	,,	K. Mahomed
3	,,	V. T. Chacko.	21	,,	M. N. Nair
4	,,	A. Easwara Pillai (*Kottarakara*)	22	,,	K. A. Narayana Pillai
5	,,	K. R. Elenkath	23	,,	Pacode A. Narayana Pillai
6	,,	Antony George	24		Srimati T. Narayani Amma
7	,,	Miss Hepzibah Gnanasikamoney	25	Mr.	G. Nilakantan
8	,,	M. Mahomed Haneef	26	,,	Edavnatt S. Padmanabha Menon
9	,,	S. J. Nair	27	,,	Kainikkara M. Padmanabha Pillai
10	,,	N. John Joseph	28	,,	V. Ramakrishna Panickar
11	,,	T. C. Joseph	29	,,	R. Raman Pillai
12	,,	K. M. Krishnan	30	,,	K. Sankaran
13	,,	Pottayil S. Krishna Panickar	31	,,	M. Sivatanu Pillai
14	,,	N. K. Krishna Pillai	32	,,	A. Thanu Pillai
15	,,	T. Krishna Pillai	33	,,	S. Thiraviam Nadar
16	,,	E. K. Kunjuraman	34	,,	P. K. Thomas
17	,,	K. M. Kuriakose	35	,,	N. E. Varughese
18	,,	K. Madhavan	36	,,	V. K. Velappan Nair
			37	,,	T. P. Velayudhan Pillai

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NEUTRALS.—20.

1 Mr. C. V. Chandrasekaran	12 Mr. C. V. Kunjuraman
2 ,, A. S. Damodaran Asan	13 ,, C. O. Madhavan
3 ,, A. Easwara Pillai (*Kalkulam II*)	14 ,, K. Padmanabhan
4 ,, K. George	15 Rao Sahib S. Paramesvara Aiyar
5 ,, James Simpson	16 ,, Changanachery K. Paramesvaran Pillai
6 ,, J. M. Joseph	17 ,, Kayalam Paramesvaran Pillai
7 ,, T. T. Kesavan Sastri	18 Rao Bahadur N. Ramanuja Aiyangar
8 ,, C. S. Krishnaswamy Aiyar	19 ,, T. C. Thommen
9 ,, Puthupalli S. Krishna Pillai	20 ,, G. B. E. Truscott
10 Rao Sahib Dr. N. Kunjan Pillai	
11 K. Kunjukrishna Pillai	

The motion was declared lost.

The House adjourned at 5-27 P. M. to reassemble at 11 A. M. on Saturday.

P. PARAMESVARAN PILLAI,
Secretary to the Sri Mulam Assembly.

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